

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------------|--------------------------------|-----------------|---------------------------------|
| Applicants: | David J. GIBSON, <i>et al.</i> | Examiner: | BAINBRIDGE, Andrew P. |
| Application No.: | 10/597,800 | Group Art Unit: | 3754 |
| Confirmation No: | 6499 | Docket: | ICC-297/PCT/US (500-338 PCT/US) |
| Filed: | June 25, 2007 | Dated: | 19 May 2011 |

For: A DISPENSING NOZZLE AND CAP

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Certificate of EFS-Web Transmission
I hereby certify that this correspondence is being transmitted
to the U.S. Patent and Trademark Office via the Office's
electronic filing system

Dated: 19 May 2011

Signature: /Marie Campanalonga/

Interview Summary

Sir:

Applicant gratefully acknowledges the courtesy of Examiner Bainbridge in granting a telephone interview held Thursday, 19 May 2011, between the Examiner, and Applicants' representatives Salvatore J. Abbruzzese (Reg. No. 30,152) and the undersigned.

In the interview, Applicant contrasted the structure according to the present independent claims with the features of the applied Montenieri reference (U.S. Patent No. 5,379,927). In particular, Applicant observed that ridge structure (28) of Montenieri is not a ramp. Additionally, the interaction between the cap and the ramp (50) does not induce separation between a slot (59) in the cap and the ridge (28). According to Montenieri, it is necessary to rotate the cap such that the slot (59) releases the ridge (28) before the ramp (50) is engaged.

King does not cure the deficiencies of Montenieri with respect to the structure applied against the first set of ramps according to Applicant's claims. Moreover, King requires the user combine axial and rotational movement to release the cap. This is contrary to Applicant's claims, in which the rotation is applied to create an axial separating force.

Therefore, it was agreed that the present independent claims 1, 27, and 46-48 were patentably distinguished over the proposed combination of Montenieri and King.

The interview further addressed proposed amendments to independent claim 1 to clarify the structural features thereof, but without altering the claim scope. It was agreed that these amendments would be carried through to the remainder of the independent claims, and to any dependent claims as necessary. Applicant will present the full argument and amendment in a written response to the Office Action, for consideration in due course.

Respectfully submitted,



David J. Torreto
Registration No.: 49,099
Attorney for Applicant(s)

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700